

1 **Rule 1.1. Competence.**

2 A licensed paralegal practitioner shall provide competent representation to a client.
3 Competent representation requires the legal knowledge, skill, thoroughness and
4 preparation reasonably necessary to a) perform the contracted services; and b) determine when
5 the matter should be referred to an attorney.

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7 Comment

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9 Legal Knowledge and Skill

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11 [1] In determining whether a licensed paralegal practitioner employs the requisite knowledge
12 and skill in a particular matter, relevant factors include the relative complexity and specialized
13 nature of the matter, the licensed paralegal practitioner's general experience, the licensed
14 paralegal practitioner's training and experience in the field in question, and whether it is
15 appropriate to refer the matter to, or associate with, a lawyer of established competence in the
16 field in question.

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18 [2] A newly admitted licensed paralegal practitioner can be as competent as a practitioner
19 with long experience. Perhaps the most fundamental legal skill consists of determining what kind
20 of legal problems a situation may involve, a skill that necessarily transcends any particular
21 specialized knowledge.

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23 [3] Reserved.

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25 [4] A licensed paralegal practitioner may accept representation in only the fields in which the
26 licensed paralegal practitioner is licensed.

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28 Thoroughness and Preparation

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30 [5] Competent handling of a particular matter includes inquiry into and analysis of the factual
31 and legal elements of the problem and use of methods and procedures meeting the standards of

32 competent licensed paralegal practitioners. It also includes adequate preparation. The required
33 attention and preparation are determined in part by what is at stake.

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35 Retaining or Contracting With Other Licensed Paralegal Practitioners

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37 [6] Before a licensed paralegal practitioner retains or contracts with other licensed paralegal
38 practitioners outside the licensed paralegal practitioner's own firm to provide or assist in the
39 provision of legal services to a client, the licensed paralegal practitioner should ordinarily obtain
40 informed consent from the client and must reasonably believe that the other licensed paralegal
41 practitioners' services will contribute to the competent and ethical representation of the client.

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43 [7] When licensed paralegal practitioners from more than one firm are providing legal
44 services to the client on a particular matter, the licensed paralegal practitioners ordinarily should
45 consult with each other and the client about the scope of their respective representations and the
46 allocation of responsibility among them. See Rules 1.2 and 1.4. When making allocations of
47 responsibility in a matter pending before a tribunal, licensed paralegal practitioners and parties
48 may have additional obligations that are a matter of law beyond the scope of these Rules.

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50 Maintaining Competence

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52 [8] To maintain the requisite knowledge and skill, a licensed paralegal practitioner should
53 keep abreast of changes in the law and its practice, including the benefits and risks associated
54 with relevant technology, engage in continuing study and education and comply with all
55 continuing education requirements to which the licensed paralegal practitioner is subject.